

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FRANSSEN CONDOMINIUM  
ASSOCIATION OF APARTMENT  
OWNERS,

Plaintiff,

v.

COUNTRY MUTUAL INSURANCE  
COMPANY, FARMINGTON CASUALTY  
COMPANY, THE TRAVELERS  
INDEMNITY COMPANY, THE  
TRAVELERS INDEMNITY COMPANY  
OF AMERICA, and TRAVELERS  
CASUALTY INSURANCE COMPANY OF  
AMERICA,

Defendants.

No. 2:21-cv-00295-BJR

CASE SUMMARY AND VOIR DIRE  
QUESTIONS FOR JURY  
EMPANELMENT

A jury trial in this case is scheduled to begin on December 5, 2022, with jury empanelment to take place on that date. The Court intends to read the following summary of the case to the pool of potential jurors, and to use the questions below during voir dire.

**Summary of the Case**

This case arises from an insurance coverage dispute between a condominium association and several insurance companies. The condominium association claims that the insurance companies are required by certain property insurance policies to cover the cost of repairing

1 weather-related damage that had been suffered by the condominium. The insurance companies,  
2 however, believe that they are not required by those insurance policies to cover the cost of repair.

3 **Voir Dire Questions**

- 4 1. Have you ever worked in the insurance industry?
- 5 2. Do you have any close relatives or friends who work in the insurance industry?
- 6 3. Have you ever worked in the construction industry?
- 7 4. Do you have any close relatives or friends who work in the construction industry?
- 8 5. Have you ever submitted a claim to an insurance company for damage to property?
- 9 6. Do you have any close relatives or friends who have submitted a claim to an  
10 insurance company for damage to property?
- 11 7. Have you, a close relative, or a friend been involved in an insurance claim or dispute  
12 with an insurance company where the outcome was unsatisfactory or unfair from  
13 your point of view?
- 14 8. If you raised your hand to the last question, do you blame the insurance company  
15 for the unsatisfactory or unfair outcome? And, if you are selected to be a juror in  
16 this case, will you still be able to fairly and impartially evaluate this case on its own  
17 merits, as a matter different from your, your relative's, or your friend's insurance  
18 claim or dispute?
- 19 9. Do any of you know any of the attorneys in this case: Todd Hayes, Thom Williams,  
20 Dan Houser, Dan Syhre, Dan Bentson, or Owen Mooney?
- 21 10. Have any of you been employed in the legal profession?
- 22 11. Do any of you have close relatives or friends who are employed in the legal  
23 profession?
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- 1 12. Do any of you know any of the witnesses in this case: [List from Witness  
2 Schedule]?
- 3 13. The Plaintiff is the Franssen Condominium Association of Apartment Owners,  
4 which is located in Oak Harbor, Washington:
  - 5 a. Are any of you associated in any way with the Franssen Condominiums?
  - 6 b. Have any of you ever been to the Franssen Condominiums?
  - 7 c. Do any of you have any other familiarity with the Franssen Condominiums?
- 8 14. Two Defendants are part of the Travelers group of insurance companies. Are any  
9 of you insured with a Travelers insurance company? Have any of you ever had any  
10 other contact with a Travelers insurance company?
- 11 15. One Defendant is Country Mutual Insurance Company. Are any of you insured  
12 with Country Mutual? Have any of you ever had any other contact with Country  
13 Mutual?
- 14 16. Have any of you been a plaintiff in a lawsuit?
- 15 17. If you raised your hand to the last question, did that experience leave you with any  
16 information, beliefs, or experiences that would make it difficult for you to be a fair  
17 and impartial juror in this case?
- 18 18. Have any of you been a defendant in a lawsuit?
- 19 19. If you raised your hand to the last question, did that experience leave you with any  
20 information, beliefs, or experiences that would make it difficult for you to be a fair  
21 and impartial juror in this case?
- 22 20. Are you or have any of you ever been homeowners?
- 23 21. Do you or have any of you owned a condominium or townhouse?
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- 1 22. Do you or have any of you sat on the board of a condominium association?
- 2 23. Do any of you have special knowledge, experience or expertise in construction,
- 3 24. architecture, or engineering?
- 4 25. Have any of you been involved in an insurance claim based on defective
- 5 construction?
- 6 26. Have any of you experienced weather damage to a building you own?
- 7 27. Do any of you have special knowledge, experience, or expertise in building design,
- 8 construction, or maintenance?
- 9 28. Have you ever testified in court or served as an expert witness in a lawsuit, and, if
- 10 so, in what capacity?
- 11 29. Do any of you hold strong views, one way or the other, about insurance companies,
- 12 corporations, or condominium associations that would make it difficult for you to
- 13 be a fair and impartial juror in this case?
- 14 30. Other than what I have mentioned in the questions so far, do you have any other
- 15 information, beliefs, or experiences that would impact your ability to be a fair and
- 16 impartial juror in this case?
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19 Dated: November 30, 2022

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23 Barbara Jacobs Rothstein  
24 U.S. District Court Judge

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